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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 JOHN RUTZ,

8 Plaintiff,

9 v.

10 ANDREW M. SAUL,
11 COMMISSIONER OF SOCIAL
SECURITY,

12 Defendant.

NO: 1:19-CV-3240-TOR

ORDER GRANTING STIPULATED
MOTION FOR REMAND

13 BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF
14 No. 16). The parties have agreed that this case should be reversed and remanded
15 for further administrative proceedings pursuant to sentence four of 42 U.S.C.
16 § 405(g).

17 **IT IS HEREBY ORDERED:**

18 1. The Parties' Stipulated Motion for Remand (ECF No. 16) is **GRANTED**.


19 This case is **REVERSED** and **REMANDED** pursuant to sentence four of 42
20 U.S.C. § 405(g) for further administrative proceedings.

- 1 2. On remand, the Commissioner will assign a different Administrative Law
2 Judge who will (1) reevaluate whether Plaintiff engaged in substantial
3 gainful activity during any period under review and whether special
4 accommodations were provided for such work; (2) reevaluate the opinion
5 evidence of record; (3) as warranted, reassess the claimant's maximum
6 residual functional capacity; (4) obtain supplemental vocational expert
7 evidence to clarify the effect of the assessed limitations on Plaintiff's ability
8 to perform other work in the national economy, resolving any apparent
9 unresolved conflicts between the vocational expert's testimony and the
10 Dictionary of Occupational Titles; and (5) offer Plaintiff the opportunity for
11 a new hearing, take further action needed to complete the administrative
12 record, and issue a new decision.
- 13 3. Upon proper presentation, this Court will consider Plaintiff's request for
14 reasonable costs and attorney's fees under 28 U.S.C. § 2412(a), (d).
- 15 4. The pending motions and briefing schedule are **vacated** as moot.

16 The District Court Executive is hereby directed to file this Order, provide
17 copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

18 **DATED** March 23, 2020.



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THOMAS O. RICE
Chief United States District Judge